Decision Record - Memorandum

Prepared by
U.S. Department of the Interior
Bureau of Land Management
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Chapter 1. BorTek Fiber Optic Cable Line

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1.1. Introduction

AT&T Alascom has already installed fiber optic cable line from Fairbanks to Coldfoot for private use only. This proposed action would continue the installation from Coldfoot to Prudhoe Bay, with 125 miles on public lands.

1.2. Summary

BorTek, Incorporated proposes to continue the installation of fiber optic cable and supporting regeneration site on public lands from Coldfoot (mile post 175) to Slope Mountain (mile post 300) off the Dalton Highway, containing approximately 227.27 acres. The work would begin May 2015 and continue through December 2016. They would also have crew camps and equipment/material storage areas.

1.3. Alternatives Considered

The No Alternative Option is the only alternative considered and was not selected as it would not allow BorTek, Incorporated to install the fiber optic cable from Coldfoot to Slope Mountain.

1.4. Decision

I have decided to authorize a right-of-way grant to BorTek, Incorporated on public lands for the purpose of installing fiber optic cable from Coldfoot mile post 175 to Slope Mountain mile post 300 on the Dalton Highway from May 2015 through December 2016 pursuant to their plan of operation and the stipulations (Exhibit A) attached to the authorization. Additionally I have decided to authorize an authorization for two (2) crew camps and equipment/material storage areas and a regeneration site located at mile post 240 off the Dalton Highway.

1.5. Management Considerations

The Categorical Exclusion and supporting documentation have been prepared consistent with the requirements of various statutes and regulations, including but not limited to:

• Alaska National Interest Lands Conservation Act of 1980 (ANILCA)

• Federal Land Policy and Management Act of 1976 (FLPMA)

• National Environmental Policy Act of 1969 (NEPA)

• National Historic Preservation Act of 1966 (NHPA)

One BLM land use plan applies to the overall project area, the Utility Corridor Resource Management Plan.

1.6. Public Involvement

It was determined that due to the remoteness of the action, there would be no impact to the general public. Additionally, this document was published to the electronic Central Yukon Field Office NEPA Register on March 16, 2015. No comments have been received as of April 23, 2015.

1.7. Appeal or Protest Opportunities:

This decision may be appealed to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with 43 CFR Part 4 and DOI Form 1842-1. The notice of appeal must be filed in the Bureau of Land Management Central Yukon Field Office, 1150 University Avenue, Fairbanks, Alaska 99709 within 30 days from receipt of this decision. If you decide to file an appeal, you must carefully follow the procedure described on the enclosed form 1842-1. If you don't file your appeal at the locations specified on the form within 30 days, the Board may dismiss your appeal as untimely without considering its merits. Be sure to send a copy of your notice of appeal to each party named in this decision and to all of the addresses on the enclosed form 1842-1. You may also ask the Board to stay or suspend the effect of this decision while your appeal is pending. If you desire a stay, you must enclose your request for a stay with your notice of appeal. You have the burden of showing a stay is justified. The Board will grant a stay only if you provide sufficient justification based on the following standards:

1. The relative harm to the parties if the Board grants or denies the stay,

2. The likelihood of the success of your appeal on its merits,

3. The likelihood of immediate and irreparable harm if the Board does not grant the stay, and;

4. Whether the public interest favors granting a stay.

1.8. Approval from Authorized Official:

Field Office Manager Decision

Having considered a full range of alternatives, associated impacts, and public and agency input, I have decided to adopt and implement the attached Approved Plan in conformance with the Utility Corridor Resource Management Plan.

/s/ Nichelle W. Jacobson
Signature
Nichelle W. Jacobson
Field Manager
Central Yukon Field Office

May 26, 2015
Date

Appendix A. — Appendix A — Essential Fish Habitat

NEPA Document No.: DOI-BLM-AK-F030–2015–0013-EA

Prepared by: David G. Parker

Date: March 30, 2015

The proposed action lies within the general range of Dolly Varden (*Salvelinus malma*); arctic char (*S. alpinus*); Lake Trout (*Salvelinus namaycush*); burbot (*Lota lota*); and whitefish (Coregonid spp.). Arctic grayling (*Thymallus arcticus)* and slimey sculpin (*Cottus cognatus*) are ubiquitous throughout the region (ADF&G 1978). Northern pike (*Esox lucius*), Alaska blackfish (*Dallia pectoralis*), longnose sucker (*Catostomus catostomus*) and ninespine stickleback (*Pungitius pungitius*) are also found in select streams and lakes in the area (BLM 2010 and Mecklenberg et al. 2002). Chinook (*Oncorhynchus tshawytscha*) and chum salmon (*O. keta*) are listed as present in waters adjacent to the proposed action. The National Marine Fisheries Service (NMFS) recognizes fresh waters cataloged (ADF&G 2014) as being used by salmon under AS 41.14.870 (*Catalog of Waters Important for the Spawning, Rearing or Migration of Anadromous Fishes*) as essential fish habitat (EFH).

The proposed action described in this Environmental Assessment is to install a fiber optic cable in a trench from Coldfoot to Slope Mountain, with major water crossings being bored underneath with a 25’ riparian buffer. Therefore, there is no anticipated effect on EFH.

Essential Fish Habitat (EFH) Finding: No adverse effect. EFH consultation with NMFS is not required.

References:

Bureau of Land Management, 2010. Fish Streams Along the Trans-Alaska Pipeline System, A Compilation of Selected References with Current TAPS Stationing. BLM Open File Report 105. 43 p.

Mecklenburg, Catherine W., T. Anthony Mecklenberg, and Lyman K. Thorsteinson, 2002. Fishes of Alaska. American Fisheries Society. Bethesda, Maryland. 1037 p.

State of Alaska, Alaska Department of Fish and Game. 1978. Alaska’s Fisheries Atlas. Volume 2. Edited by R. McLean and K. Delaney. Alaska Department of Fish and Game.

State of Alaska, Alaska Department of Fish and Game. 2014. An Atlas to the Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fishes, Resource Management Region V. Alaska Department of Fish and Game, Habitat and Restoration Division.

http://extra.sf.adfg.state.ak.us/FishResourceMonitor/?mode=awc

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Appendix B. — Appendix B — Wilderness Characteristics Assessment

NEPA Document No.: DOI-BLM-AK-F030–2015–0013-EA

Serial No.: F-96767

Applicant: BorTek, Incorporated

Location: Coldfoot mile post 175 to Slope Mountain mile post 300 on the Dalton Highway, approximately 227.27 acres.

Prepared by: Robin Walthour

Date: April 20, 2015

Proposed Action

BorTek, Incorporated proposes to install fiber optic cable within the transportation and utility corridor along the Dalton Highway from Coldfoot mile post 175 to Slope Mountain mile post 300, Alaska. The proposed project would involve clearing, trenching and/or excavation and replacement of soils to allow the burial of fiber optic cable using hydro-axes and prime tech (a drum type clearing device propelled on tracks) from scheduled to begin May 2015 through December 2015.

For major stream crossings, cable installation would be done by directional boring. Most minor drainages crossed will be worked during frozen conditions. Small streams crossed during thawed conditions will be completed using the plow method and by crossing at right angles, with the disturbed plow line immediately track walked.

The installation of the fiber optic cable will require the setting of handholes every 5,000 feet and manholes (splice vaults) every 20,000 feet along the project. These handholes and/or manholes would be installed by excavating a hole for placement using the “mini-excavators” and backfilling.

A regeneration site, 60 feet long by 100 feet wide, would be necessary to support the fiber optic line and is proposed at mile post 240 Dalton Highway including associated structures and appurtenances. Site would be located approximately 200 feet from the centerline of the highway and the fiber optic cable line would be buried alongside the entrance access road to the site. A 6 foot high chain link fence would surround the site with three strands of barb wire on top. Improvements inside consist of: one building 12 feet x 16 feet housing two generators, a day tank, associated power, controls and fire suppression system. A 2nd building 12 feet x 20 feet would house communication equipment including four racks of -48v batteries, equipment racks, fire suppression system; and a 4,000 gallon diesel tank.

Multiple temporary camps would be necessary to house the crew and stage equipment and materials. Within the camps would be 20 personal camp trailers or RVs, 2 office trailers, 1 generator, (how many) chemical toilets, 8,000 gallon diesel fuel tank, 3,000 gallon unleaded gasoline tank, 1 20 x 40 tent, dumpster, and parking for personal vehicles and trucks. A Spill Prevention, Control and Countermeasure Plan will be prepared and maintained for the fuel storage for this project.

A hazardous material control plan would be developed in association with the Storm Water Pollution Prevention Plan (SWPPP) for the project.

The regeneration site would require a 4,000 gallon AST for diesel to supply the generators. The regeneration site AST would be a secondary containment tank fitted with leak detection monitoring equipment.

A SWPPP would be developed in accordance with the Alaska Pollutant Discharge Elimination System Construction General Permit (APDES CGP) for this project.

Evaluation

The basis for this evaluation is BLM Manual 6310-Conducting Wilderness Characteristics Inventory on BLM Lands, and BLM Manual 6320 - Considering Lands with Wilderness Characteristics in the BLM Land Use Planning Process, which direct offices to conduct and maintain inventories regarding the presence or absence of wilderness characteristics, and to consider identified Lands with Wilderness Characteristics (LWC) in land use plans and when analyzing projects under the National Environmental Policy Act (NEPA).

Effects on wilderness characteristics on BLM lands within the Utility Corridor are evaluated according to the Nonwilderness Assessment, a special project approved by the BLM Director and conducted by the BLM along portions of the Trans-Alaska Pipeline System (TAPS) corridor in 1980. This assessment identified lands under BLM administration that were considered lacking in the wilderness characteristics as defined by the Wilderness Act of 1964. The assessment was conducted in a manner that met the requirements of Section 603 of the Federal Land Policy and Management Act of 1976 (FLPMA).

The action being considered is located within the Yukon and Prospect Segments of the Nonwilderness Assessment, which covered approximately 1,280,000 acres total in 1980. Portions of this segment meet the 5,000 acre minimum size. However it was determined that the lands where the proposed action will occur did not meet the standards for naturalness due to roads, camps, airfields, pipelines, material sites and associated facilities.

FINDING

The proposed action will occur on lands identified as lacking wilderness characteristics and therefore will not affect wilderness characteristics.

Type of Assessment/Sources

U.S. Department of Interior, BLM, 1980. Nonwilderness Assessment: The Alaska Natural Gas Transportation System, Final Decision. Anchorage, Alaska

USGS topographic maps, GIS data, Google Earth images

Personal knowledge of the area and 2013 aerial survey

Appendix C. — Appendix C — Section 810 Assessment

NEPA Document No.: DOI-BLM-AK-F030–2015–0013–EA

Applicant: BorTek, Incorporated

Serial No.: F-96767

Proposed Action: BorTek, Incorporated proposes to install fiber optic cable within the transportation and utility corridor along the Dalton Highway from Coldfoot mile post 175 to Slope Mountain mile post 300, Alaska. The proposed project would involve clearing, trenching and/or excavation and replacement of soils to allow the burial of fiber optic cable using hydro-axes and prime tech (a drum type clearing device propelled on tracks) from scheduled to begin May 2015 through December 2015.

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A SWPPP would be developed in accordance with the Alaska Pollutant Discharge Elimination System Construction General Permit (APDES CGP) for this project.

Location: Coldfoot mile post 175 to Slope Mountain mile post 300 on the Dalton Highway, Alaska

Township/Range: Multiple sections, townships, ranges and meridians, containing approximately 227.27 acres.

Evaluation by: Erin Julianus and David G. Parker

Date: March 30, 2015 and April 1, 2015

Type of Assessment/Sources: Review of application materials, subsistence database, local knowledge, interviews with staff knowledgeable about the area and proposed action.

Effect of the proposal on subsistence uses and needs

Fisheries: The proposed action would not alter the distribution, migration, or location of harvestable fisheries resources. Approved mitigation measures would prevent degradation of adjacent water sources and fisheries habitat. The proposed action will not create any legal or physical barriers that would limit access by subsistence users of the fisheries resources.

Wildlife:

Availability of other lands, if any, for the purpose sought to be achieved: Other lands are not available for the purpose sought to be achieved. According to the applicant, the proposed fiber optic route will minimize total length; reduce the amount of challenging terrain and geologic special design areas; avoid and/or minimize impacts to the existing right of way; and avoid parks, reserves, refuges, and wilderness areas, thereby reducing construction impacts. To the extent feasible, existing state infrastructure will be used for cable installation to minimize project impacts.

Other alternatives, if any, which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes: There are no other alternatives to this activity that were explored due to the fact that there are no substitute technologies for the transmission of voice and data via fiber optic cables.

Finding: The cumulative impacts include a minimal impact on subsistence resource distribution, due to some increased traffic on the right of way and noise of construction activities and generators. ANILCA Sec. 810(a) provides that no "withdrawal, reservation, lease, permit, or other use, occupancy or disposition of the public lands which would significantly restrict subsistence uses shall be affected" until the federal agency gives the required notice and holds a hearing in accordance with ANILCA Sec. 810(a)(1) and (2), and makes the three determinations required by the ANILCA Sec. 810 (a)(3)(A), (B), and (C). The three determinations that must be made are: 1) that such a significant restriction of subsistence use is necessary, consistent with sound management principles for the utilization of the public lands; 2) that the proposed activity will involve the minimal amount of public lands necessary to accomplish the purposes of such use, occupancy, or other such disposition; and 3) that reasonable steps will be taken to minimize adverse impacts to subsistence uses and resources resulting from such action [16 U.S.C. Sec. 3120(a)(3)(A),(B), and (C)]. Upon BLM review, it may be necessary to undertake the notice an hearing procedures required by the ANILCA Sec. 810(a)(1) and (2) in conjunction with a release

of the Draft Environmental Assessment in order to solicit public comment from the potentially affected communities and subsistence users. If BLM determines, the cumulative impacts in the Environmental Assessment and this ANICLA 810 Evaluation does not significantly restrict subsistence use no further action should be required.

References:

Arctic Information and Data Center, NO DATE, Alaska regional Profiles Yukon Region, Figure 231. Existing Land Use

Bradshaw, C.J.A. 1997. Effects of petroleum exploration on woodland caribou in Northeastern Alberta. Journal of Wildlife Management, 61(4):1127-1133

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Scott, C. P. 1993. Continuity and change in the Wiseman area of Alaska. MS Thesis. University of Alaska, Fairbanks. Fairbanks, Alaska. 268pp.

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